

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 1 and 3 have been amended. New claim 6 has been added. Claims 1-6 are pending and under consideration.

**REJECTIONS UNDER 35 U.S.C. § 102:**

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Sagawa et al. (U.S. 5,273,782).

Claim 1 recites "a filling material with a particle size between 0.1 and 15 microns used to fill in depressions on a surface of said magnet such that the surface has a surface roughness of less than 3 microns." This feature is supported, for example, at page 14 of the present specification, which indicates a surface roughness of 3 microns or less. It is respectfully submitted that Sagawa et al. does not disclose these features. Accordingly, claim 1, and claim 2 depending therefrom, are distinguishable from Sagawa et al.

Independent claim 3 recites "a filling material to fill in depressions on the magnet body such that a surface of the magnet body has a surface roughness of less than 3 microns." Accordingly, independent claim 3, and claims 4-5 depending therefrom, are patentable over Sagawa et al.

**REJECTIONS UNDER 35 U.S.C. § 103:**

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sagawa et al. in view of Strnat (U.S. 3,998,669). Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurosawa et al. (U.S. 6,211,584) in view of the admitted prior art and further in view of Strnat (U.S. 3,998,669).

As discussed above, Sagawa et al. does not disclose a surface roughness less than 3 microns. It is respectfully submitted that Strnat does not overcome this deficiency in Sagawa et al., and is not relied upon by the Examiner for this purpose. Instead, the Examiner relies upon Strnat as disclosing limiting the particle size of the metal alloy powder and filler material. Similarly, Kurosawa et al. does not disclose the claimed synthetic resin coat, and is not relied upon by the Examiner as disclosing this feature.

Furthermore, we note that neither Sagawa et al. nor Strnat discloses using a filler material having a particle size between .1 and 15 microns. The Examiner relies upon col. 10, lines 5-23 of Sagawa et al. as teaching the use of a filler material. However, this portion of the reference discloses that the powder material and the resin are forced into the pores of the resin bonded magnet to seal the pores. Thus, the powder material is used to fill the pores, whereas in the invention to claim 1, the powder forms the magnet body and a separate filling material is used to fill in the depressions therein.

Based on the above, claims 1-5 are patentable over the Examiner's cited references.

**NEW CLAIM:**

New claim 6 is added and recites "a surface of the synthetic resin coat has a surface roughness of less than 3 microns." As set forth at pages 8 and 9 of the present Specification, in the present invention, a resin coat is applied to the outer surface of the magnet, which is smoothed by the filling material. Since the outer surface of the magnet is smooth, the surface of the resin coat is likewise smooth.

**CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8-16-02

By:

A handwritten signature in black ink, appearing to read "M. Badagliacca", written over a horizontal line.

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Please **AMEND** claims 1 and 3 as follows:

1. (TWICE AMENDED) A resin bonded rare earth magnet, compression molded from a rare earth-transition metal alloy powder and a thermosetting resin, comprising:
  - a magnet body comprising a mixture of the thermosetting resin and the rare earth-transition metal alloy powder with a particle size of between 20 and 300 microns;
  - a filling material with a particle size between 0.1 and 15 microns used to fill in depressions on a surface of said magnet such that the surface has a surface roughness of less than 3 microns, and fixed with said thermosetting resin; and
  - a corrosion inhibiting coat made from a synthetic resin applied to the surface of said magnet [which has been rendered smooth by the application of said filling material into the depressions on the surface thereof].
  
3. (ONCE AMENDED) A resin bonded rare earth magnet, comprising:
  - a magnet body;
  - a filling material to fill in depressions on the magnet body such that a surface of the magnet body has a surface roughness of less than 3 microns; and
  - a synthetic resin coat applied to an outer surface of said magnet body.